

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Panchayat Raj & Rural Development Department – Allegations of collusion with the A.O. Sri S. Shivalal, former Dy. Executive Engineer, Panchayat Raj, Bheemgal Sub-Division, Nizamabad District and furnishing the annual property return for the year 2004 after registration of the case to mislead the investigating agency and to safe-guard the A.O. to save from clutches of law - Sri K.V. Srinivas Rao, Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Nizamabad - Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (CC&A), Rules, 1991 – Article of charges –Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 1341.

Dated:17.09.2009.

ORDER:

It is proposed to hold an enquiry against Sri K.V. Srinivas Rao, Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Nizamabad, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of article of charge is enclosed as Annexure-II. A list of witnesses by whom and a list of documents by which the articles of charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri K.V. Srinivas Rao, Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Nizamabad, is directed to submit within (10) days of the receipt of this order, a Written statement of defence. He is informed that an inquiry will be held only if the article of charge is not admitted. He should, therefore, specifically admit or deny article of charge.

4. Sri K.V. Srinivas Rao, Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Nizamabad, is further informed that if he does not submit his written statement of defence within the stipulated period specified in para (3) above, further action will be processed based on the material available.

5. Attention of Sri K.V. Srinivas Rao, Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Nizamabad, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Contd..2

::2::

6. The receipt of this Memorandum shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri K.V. Srinivas Rao, Senior Assistant, O/o the Executive Engineer,
Panchayat Raj Division, Nizamabad through the Engineer-in-Chief,
Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad.

(with a request to serve and return the acknowledged copy and W.S.D.)

Copy to:

The Director General, A.C.B., Hyderabad.

Law (A) Dept.

SF/SCs

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-I

(Annexure to G.O.Rt.No. 1341 , PR & RD (Vig.I) Dept., dt. 17.09.2009)

(Statement of Article of charge against Sri K.V. Srinivas Rao, Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Nizamabad)

CHARGE:

That Sri Kodali Venkata Srinivas Rao, S/o Late K. Bhasker Rao, Senior Assistant, O/o Executive Engineer, Panchayat Raj Division, Bodhan, Nizamabad district joined in Government service on 15.12.1989 as Junior Assistant, Panchayat Raj at Nizamabad district, while functioning as Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division at Nizamabad District during the period between 14.06.2004 to 11.07.2008 had committed grave misconduct in as much as he and Sri Ch. Satya Murthy, Executive Engineer colluded with Sri S. Shivalal, Dy.Executive Engineer, Panchayat Raj, Bheemgal and furnished the Annual Proper Return for the year 2004 after registration of the case to mislead the investigating agency to help Sri S. Shivalal from the clutches of Law and he failed to maintain absolute integrity in violation of the provisions of the A.P. Civil Services (Conduct) Rules, 1964.

Thus, Sri Kodali Venkata Srinivas Rao, Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Nizamabad by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) and (2) of the A.P. Civil Services (Conduct) Rules, 1964.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-II

(Annexure to G.O.Rt.No. 1341, PR & RD (Vig.I) Dept., dt. 17.09.2009)

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLE OF CHARGES AGAINST SRI K.V. SRINIVAS RAO, SENIOR ASSISTANT, O/o THE EXECUTIVE ENGINEER, PANCHAYAT RAJ DIVISION, NIZAMABAD.

That Sri Kodali Venkata Srinivas Rao, S/o late K. Bhasker Rao, Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Bodhan, is native of Pothangal village of Kotgir Mandal, Nizamabad District. His date of birth is 15.06.1968. He joined in Govt. Service on 15.12.1989 as Junior Assistant, Panchayat Raj Dept. at Nizamabad District. He was promoted as Senior Assistant on 07.10.2002 and working at Nizamabad division during the period from 14.06.2004 to 11.07.2008. He is here-in-after referred to as Government Servant.

That a case in Crime No.11/ACB/NZB/07 u/s 13 (2) r/w 13 (1) (e) of the Prevention of Corruption of Act, 1988 was registered on 29.11.2007 against Sri S. Shivalal, Dy.EE, PR Sub-Division, Bheemgal, Nizamabad district for possessing assets disproportionate to his known sources of income. During investigation, a letter has been addressed vide Lr.No.11/ACB-NZB/2007, dt. 14.12.2007 by the Inspector, ACB, Nizamabad Range, to the Executive Engineer, Panchayat Raj, Nizamabad regarding salary particulars and Annual Property Returns of Sri Shivalal. In response to the letter, the Executive Engineer, PR Division, Nizamabad Sri Ch. Satya Murthy, i.e., Govt. Servant furnished information vide Lr.No.1025/2007, dt. 05.01.2008 along with particulars of pay and allowances drawn particulars of Sri Shivalal along with annual property statement for the year 2004 which was submitted by Sri S. Shivalal. After receiving the above letter from the Govt. Servant, verification has been made in respect of the genuineness of annual property return of Sri S. Shivalal and the verification disclosed that the Inward Register for the year 2004 do not contain the entries with regard to the submission of annual property returns by Sri Shivalal. Further, there is no counter signature of the then Executive Engineer and office seal on the annual property return, which was submitted by Sri Shivalal to Executive Engineer, Panchayat Raj, Nizamabad. The Annual Property Return of the employee in the office of Executive Engineer, Panchayat Raj Division to be maintained by the Government Servant.

That Sri Kodali Venkata Srinivas Rao while working as Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Nizamabad from 14.06.2004 to 11.07.2008 had committed grave misconduct in as much as he and Sri Ch. Satya Murthy, Executive Engineer colluded with Sri S. Shivalal and furnished the annual property return for the year 2004 after registration of the case to mislead the investing agency to help Sri Shivalal from the clutches of law and he failed to maintain absolute integrity in violation of the provisions of the A.P. Civil Services (Conduct) Rules, 1964.

Thus, Sri Kodali Venkata Srinivas Rao, by his above mentioned act, has exhibited lack of integrity, devotion to duty conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1) and (2) of the A.P. Civil Services (Conduct) Rules, 1964. Thus, the Government Servant has rendered himself liable for regular departmental action for major penalty.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-III

(Annexure to G.O.Rt.No. 1341, PR & RD (Vig.I) Dept., dt. 17.09.2009)

List of Witnesses by whom the article of charges is proposed to be sustained against Sri K.V. Srinivas Rao, Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Nizamabad.

1. The Superintending Engineer, Panchayat Raj, Medak.
2. Sri T. Santhosh Reddy, S/o Narayana Reddy, age 43 years, Occ: Office Superintendent, O/o Executive Engineer, Panchayat Raj Division, Nizamabad.
3. Sri K. Seetaramulu, Inspector of Police, ACB, Nizamabad Range, Nizamabad.
4. Any witness if found necessary will be produced during the inquiry.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

(Annexure to G.O.Rt.No. 1341, PR & RD (Vig.I) Dept., dt. 17.09.2009)

List of documents by which the article of charges is proposed to be sustained against Sri K.V. Srinivas Rao, Senior Assistant, O/o the Executive Engineer, Panchayat Raj Division, Nizamabad.

1. Inward and outward Registers, O/o the Executive Engineer, Panchayat Raj, Nizamabad.
2. Job chart of Senior Assistant at Panchayat Raj Department.
3. Any document if found necessary will be produced during the inquiry.
4. Copy of the Letter No.1025/2007, dt. 05.01.2008 (Original filed with D.A.C. of Sri Shivalal (A.O.))
5. Annual Property Return of Sri S. Shivalal (A.O.) for the year 2004.

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER